



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Toshihiko Kataoka

Attorney for the Office of Petitions:

Serial No: 10/811,410

Paul Shanoski

Docket No: JP920030050US1

Filed: 03/26/2004

Title: METHOD FOR DATA PROTECTION FOR REMOVABLE RECORDING
MEDIUM

RENEWED PETITION UNDER 37 CFR 1.137(b)

This renewed petition is being filed in response to a decision mailed February 16, 2007 on a previously filed petition to revive.

In the decision, the Attorney for the Office of Petitions indicated that the petitioner's representative placed the wrong filing date and the wrong title on the petition. These errors have been noted and are corrected in a Renewed Petition filed herewith.

The Attorney for the Office of Petitions further indicated that the supporting document indicated that a Notice of Allowance was misfiled before the case became abandoned, further indicating that this may be a typographical error. The attorney is correct in that it was a typographical error, as evidenced by the fact that a response to the Office Action was filed with the original petition. The Attorney for the Office of Petitions additionally indicated that it did not appear that the person signing the statement of unintentional delay had firsthand or direct knowledge of the facts and circumstances of the delay at issue.

These problems are addressed herewith with the filing of a new Statement Establishing Unintentional Delay that is signed by Michelle Fitzsimmons, who

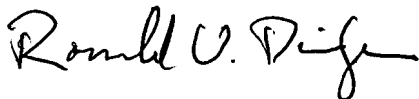
prepared, but who was unaware of the Office Action until the Notice of Abandonment had been received.

A Power of Attorney is submitted herewith, appointing Scott W. Reed, Carlos Munoz Bustamante and Ronald V. Davidge to prosecute the application.

The Attorney for the Office of Petitions further indicated that the electronic record of this application indicated that a request was submitted by Ismail Lakkis asserting that he was the inventor of the application. The Assignee insists that Ismail Lakkis is not one of the inventors, and he does not represent the Assignee in any way. All allegations made regarding a relationship between Ismail Lakkis and the present application are invalid.

A Change of Correspondence Address form is further submitted herewith by Ronald V. Davidge.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald V. Davidge". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ronald V. Davidge

Registration No. 33,863

Telephone No. 954-364-6259

April 13, 2007



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
JPS920030050US1

First named inventor: Toshihiko Kataoka

Application No.: 10/811,410

Art Unit: 2112

Filed: 03/26/2004

Examiner: Faisal M. Zaman

Title: METHOD FOR DATA PROTECTION FOR REMOVABLE RECORDING MEDIUM

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

Attorney for the Office of Petitions: Paul Shanowski

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1500 (37 CFR 1.17(m)) Filed previously on 11/03/2006

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of an RCE with an amendment (identify type of reply):

- ☒ has been filed previously on 11/03/2006
☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

- ☐ has been paid previously on _____
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Ronald V. Davidge
Signature

04/14/2007
Date

Ronald V. Davidge
Typed or printed name

33,863
Registration Number, if applicable

3300 Stirling Road, Suite 219
Address

954-364-6259
Telephone Number

Cooper City, FL 33024
Address

Enclosures: ☐ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

04-14-2007
Date

Ronald V. Davidge
Signature

Ronald V. Davidge
Typed or printed name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Tochiko Kataoka

Attorney for the Office of Petitions:

Serial No: 10/811,410

Paul Shanoski

Docket No: JP920030050US1

Filed: 03/26/2004

Title: METHOD FOR DATA PROTECTION FOR REMOVABLE RECORDING
MEDIUM

STATEMENT ESTABLISHING UNINTENTIONAL DELAY

I, Michelle Fitzsimmons, am a Senior Patent Administrator for Lenovo (US) in Raleigh, North Carolina.

Regarding the above-described application, the entire delay in filing the required reply from the due date for the required reply and the filing of a grantable petition under 37 CFR §1.137(b) was unintentional.

Regarding this application, an employee new to our process for handling documents received the Final Office Action and placed it in a file folder associated with this application without bringing the Final Office Action to my attention. Thus, an established process for tracking the Office Action and for forwarding it to the Patent Attorney or Agent handling the case to prepare a reply was not begun.

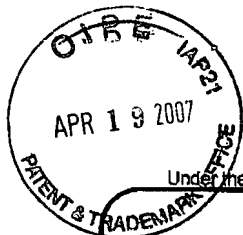
I became aware that the Final Office Action had been received only after receiving the Notice of Abandonment and then finding a copy of the Final Office Action in a file folder without indications that the process for handling the document had been initiated.

Respectfully submitted,

Michelle Fitzsimmons

Date:

04/04/2007



PTO/SB/81 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

| | |
|------------------------|--|
| Application Number | 10/811,410 |
| Filing Date | 03/26/2004 |
| First Named Inventor | Toshihiko Kataoka |
| Title | Method for data protection for removable |
| Art Unit | 21/2 |
| Examiner Name | Zaman Faisal M |
| Attorney Docket Number | JP920030050US1 |

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☐ Practitioners associated with the Customer Number:

OR

☒ Practitioner(s) named below:

| Name | Registration Number |
|-------------------------|---------------------|
| Scott W Reid | 42,098 |
| Carlos-Munoz-Bustamante | 51,349 |
| Ronald V. Dawidg | 33,863 |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☒ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

| | | | |
|-------------------|----------------|-----------|--------------|
| Signature | | Date | 3-16-07 |
| Name | Scott W. Reid | Telephone | 919-294-0693 |
| Title and Company | IP Law Counsel | | |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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